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09/910,716	07/24/2001	Hiroaki Harada	1344.1071	1801
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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			GILLIGAN, CHRISTOPHER L	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/910,716	HARADA ET AL.
	Examiner	Art Unit
	C. Luke Gilligan	3626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 November 2007.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 2-7 and 9-20 is/are pending in the application.

4a) Of the above claim(s) 13-19 is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 2-7, 9-12, and 20 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:

- Certified copies of the priority documents have been received.
- Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

***Response to Amendment***

1. In the amendment filed 11/5/07, the following has occurred: claims 2-6, 9-13, and 18-20 have been amended and claim 1 has been canceled. Now, claims 2-7 and 9-20 are presented for examination with claims 13-19 withdrawn from consideration.
2. The rejections under 35 U.S.C. 112, second paragraph have been withdrawn by the Examiner based on changes made by Applicants to the claims.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 2-4, 6-7, 9-12, AND 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiMattina, U.S. Patent No. 6,405,177 in view of Furusawa et al., U.S. Patent No. 6,934,738 and further in view of Dickinson et al., U.S. Patent No. 7,260,724.
5. As per claim 4, DiMattina teaches an insurance task processing method comprising: checking, by a third party, electronic information distributed within a computer network between a buyer and a seller to judge whether a solicitation-related keyword is included in the electronic information (see column 3, lines 56-62 and column 4, lines 12-14, the Examiner interprets data regarding items the purchaser wishes to buy to be a form of solicitation-related keyword; it is also noted that the entire transaction may be carried out by the retailer's server, the insurance server (i.e. third party), or both); and distributing solicitation-to-insurance information to at least one of the buyer and the seller having exchanged the electronic information with each other, when judged by the third party that the solicitation-related keyword is included in the electronic

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information (see column 3, line 63 - column 4, line 21), wherein said distributing distributes the solicitation-to-insurance information from an insurer selected corresponding to contents of the electronic information (see column 3, lines 47-55).

6. DiMattina does not explicitly teach the checking is performed by a server operated by a service dealer other than a buyer, a seller and an insurance company. Dickinson teaches a method that includes checking electronic information transmitted between a buyer and a seller by a third party trust engine (see column 45, lines 20-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such a feature into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing enhanced security to the seller in the system of DiMattina (see column 2, lines 6-9 of Dickinson).

7. DiMattina does not explicitly teach that the electronic information is cross-checked with a word table in which a solicitation-related keyword as a clue of solicitation-to-insurance is registered. Furusawa teaches a method of processing messages in an electronic network in which messages are cross-checked with a word table where keywords are registered and performing associated programs based on identified keywords contained in the messages (see column 5, lines 21-34). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such keyword lookup table functionality into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing uniformity in the message processing of DiMattina (see column 1, lines 37-42 of Furusawa).

8. As per claim 2, DiMattina in view of Furusawa teaches the method of claim 4 as described above. DiMattina further teaches said distributing distributes the solicitation-to-insurance information to the buyer when at least one of the buyer and the seller has not yet

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subscribed to insurance (see column 3, line 58 – column 4, line 3, since the insurance is offered for the particular transaction, the buyer has not yet subscribed to insurance). DiMattina does not explicitly teach distributing solicitation-to-insurance information to the seller. Dickinson teaches a method that distributes solicitation-to-insurance information to a seller when the seller has not yet subscribed to insurance (see column 45, lines 20-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such a feature into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing enhanced security to the seller in the system of DiMattina (see column 2, lines 6-9 of Dickinson).

9. As per claim 3, As per claim 3, DiMattina in view of Furusawa teaches the method of claim 2 as described above. DiMattina further teaches said distributing distributes the solicitation-to-insurance information to the buyer even when the buyer has previously subscribed to insurance, if the insurance is invalid, or if the buyer has experienced an encounter with an accident related to electronic commerce in the past (see column 3, line 58 – column 4, line 3, since DiMattina does not give any restrictions on when the insurance information is distributed, it would still be distributed under these conditions). DiMattina does not explicitly teach distributing solicitation-to-insurance information to the seller. Dickinson teaches a method that distributes solicitation-to-insurance information to a seller even when the seller has previously subscribed to insurance, if the insurance is invalid, or if the seller has experienced an encounter with an accident related to electronic commerce in the past (see column 45, lines 20-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such a feature into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing enhanced security to the seller in the system of DiMattina (see column 2, lines 6-9 of Dickinson).

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10. As per claim 6, DiMattina teaches an insurance task processing method comprising: an inputting transactional information in a transaction related to electronic commerce between a buyer and a seller (see column 3, lines 56-58); checking the transmitted transactional information between the buyer and the seller to judge whether a solicitation-related keyword is included in the transmitted transactional information (see column 3, lines 56-62 and column 4, lines 12-14); and transmitting solicitation-to-insurance information to the at least one of the buyer and the seller when judged that the solicitation-related keyword is included in said transmitted transactional information (see column 3, line 58 – column 4, line 3), wherein said transmitting transmits the solicitation-to-insurance information from an insurer selected corresponding to contents of the electronic information (see column 3, lines 47-55).

11. DiMattina does not explicitly teach the checking is performed by a server operated by a service dealer other than a buyer, a seller and an insurance company. Dickinson teaches a method that includes checking electronic information transmitted between a buyer and a seller by a third party trust engine (see column 45, lines 20-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such a feature into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing enhanced security to the seller in the system of DiMattina (see column 2, lines 6-9 of Dickinson).

12. DiMattina does not explicitly teach that the electronic information is cross-checked with a word table in which a solicitation-related keyword as a clue of solicitation-to-insurance is registered. Furusawa teaches a method of processing messages in an electronic network in which messages are cross-checked with a word table where keywords are registered and performing associated programs based on identified keywords contained in the messages (see column 5, lines 21-34). It would have been obvious to one of ordinary skill in the art at the time

of the invention to incorporate such keyword lookup table functionality into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing uniformity in the message processing of DiMattina (see column 1, lines 37-42 of Furusawa).

13. As per claim 7, DiMattina in view of Furusawa teaches the method of claim 6 as described above. DiMattina further teaches judging whether a transactional keyword has been included in said input transactional information (see column 3, line 56-58, the Examiner interprets the data regarding items a purchaser wishes to buy to be a form of "keyword" as recited in the claim); and notifying a risk related to the electronic commerce, when said transactional keyword is judged to be included in the transactional information (see column 3, line 58 – column 4, line 3, the Examiner interprets the "guarantees" to be a form of notification of risk related to the electronic commerce).

14. Claims 10, and 11 recite substantially similar computer medium and system limitations to method claim 1 and, as such, are rejected for similar reasons as given above.

15. Claims 9 and 12 recite substantially similar computer medium and system limitations to method claim 6 and, as such, are rejected for similar reasons as given above.

16. As per claim 20, DiMattina teaches an insurance task processing method comprising: judging whether a solicitation-related keyword is included in electronic commerce information exchanged between a buyer and a seller (see column 3, lines 56-62); and transmitting solicitation-to-insurance information to at least one of the buyer and the seller, when said judging determines that the solicitation-related keyword is included in said electronic commerce information (see column 3, line 63 - column 4, line 21), wherein said transmitting transmits the solicitation-to-insurance information from an insurer selected corresponding to contents of the electronic information (see column 3, lines 47-55).

17. DiMattina does not explicitly teach the checking is performed by a server operated by a service dealer other than a buyer, a seller and an insurance company. Dickinson teaches a method that includes checking electronic information transmitted between a buyer and a seller by a third party trust engine (see column 45, lines 20-30). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such a feature into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing enhanced security to the seller in the system of DiMattina (see column 2, lines 6-9 of Dickinson).

18. DiMattina does not explicitly teach that the electronic information is cross-checked with a word table in which a solicitation-related keyword as a clue of solicitation-to-insurance is registered. Furusawa teaches a method of processing messages in an electronic network in which messages are cross-checked with a word table where keywords are registered and performing associated programs based on identified keywords contained in the messages (see column 5, lines 21-34). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such keyword lookup table functionality into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of providing uniformity in the message processing of DiMattina (see column 1, lines 37-42 of Furusawa).

19. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over DiMattina, U.S. Patent No. 6,405,177 in view of Furusawa et al., U.S. Patent No. 6,934,738 and Dickinson et al., U.S. Patent No. 7,260,724 and further in view of Margoscin et al., U.S. Patent no. 7,003,482.

20. As per claim 5, DiMattina in view of Furusawa and Dickinson teaches the method of claim 1 as described above. DiMattina further teaches receiving insurance premium information

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which has been calculated corresponding to a price included in the electronic information (see column 5, lines 23-26); calculating the sum of the insurance premium indicated by the received insurance premium information and the price (see column 5, lines 26-29); and presenting the calculated insurance premium and the calculated sum to both of the buyer and seller (see column 4, lines 14-17 and column 5, lines 44-50).

21. DiMattina does not explicitly teach the insurance premium information is calculated based on a discount insurance premium rate. However, Margoscin teaches a business middleware system for implementing business policy changes including implementing insurance premium discounts (see column 11, lines 44-53). It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate such a feature into the system of DiMattina. One of ordinary skill in the art would have been motivated to incorporate such a feature for the purpose of easily implementing business policy changes, such as implanting insurance premium discounts (see column 2, lines 34-41).

#### ***Response to Arguments***

22. In the remarks filed 11/5/07, Applicants argue in substance that (1) DiMattina fails to teach that the information is distributed from an insurer selected corresponding to contents of the electronic information; (2) DiMattina and Furusawa fails to teach that the cross checking is performed by a server operated by a service dealer other than a buyer, a seller and an insurance company (3) one of ordinary skill in the art would not have been motivated to combine DiMattini with Furusawa.

23. In response to Applicants' argument (1), since DiMattina teaches a single insurer from which information is transmitted in response to transmission of electronic information from a buyer, the insurer of DiMattina is "selected" corresponding to contents of the electronic

information. Applicants point to Figure 7 of the application for an example of this selection. However, this figure shows two insurers and a selection of one of the two insurers based on the contents of the electronic information. Such an embodiment is more narrowing than the recited claim limitations that do not require a plurality of insurers and a selection of one of the plurality of insurers based on the contents of the electronic information.

24. Applicants' argument (2) has been fully considered but is moot in view of the new grounds of rejection detailed above.

25. In response to Applicants' argument (3), the Examiner respectfully submits that providing the cross-checking functionality of Furusawa within the system of DiMattina could provide an advantage over the teachings of DiMattina alone since it could provide the flexibility of more selectively providing insurance solicitation than simply distributing it every time a user places an order. Therefore it is maintained that the proposed combination is proper.

### ***Conclusion***

26. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

27. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. LUKE GILLIGAN whose telephone number is (571)272-6770. The examiner can normally be reached on Monday-Friday 8:30am-6:00pm.

29. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Thomas can be reached on (571) 272-6776. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

30. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

1/18/08



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